

# Ma-le'l Dunes Cooperative Management Area Public Access Plan

## Decision Record

U.S. Department of the Interior  
Bureau of Land Management (BLM)  
Arcata Field Office  
Arcata, CA

U.S. Department of the Interior  
U.S. Fish and Wildlife Service (USFWS)  
Humboldt Bay National Wildlife Refuge  
Loleta, CA

### Decision and Rationale

It is the decision of the BLM Arcata Field Office and USFWS Humboldt Bay National Wildlife Refuge to implement the *Ma-le'l Dunes Cooperative Management Area (CMA) Public Access Plan* which is identified as Alternative A, The Proposed Plan – A Range of Public Use and Minimum Improvements in the *Ma-le'l Dunes Access Plan Project Initial Study/Environmental Assessment* dated June 2010. Alternative A best meets the purpose and need for the project which is to accommodate appropriate and orderly public access and a range of recreational opportunities designed to minimize to the extent practical any adverse impact to the natural and cultural resources of the area.

Major aspects of the project include increasing the opportunities for pedestrian use along designated trails at Ma-le'l North, access road and trailhead parking area improvements, upgrading the caretaker site, rehabilitating casual trails that are not designated open to public use, providing various interpretive materials such as wayside exhibits, signs, and a brochure, and increasing law enforcement patrols.

Mitigation measures established to minimize environmental impacts include:

- Management activities that have the potential to affect seasonal wetlands will occur only during the dry season using “best management practices.”
- Construction activities and routine maintenance will utilize only non-mechanized equipment during the breeding season (February 15 to August 15) for birds likely to breed in the area. Activities needed to address emergency or public safety issues will be allowed during the breeding season at the discretion of the Ma-le'l Dunes CMA managers.
- USFWS will collect Humboldt Bay wallflower (*Erysimum menziesii* ssp. *eurekaense*) seeds on the adjacent Lanphere Dunes area and disperse them in newly restored areas within the CMA.
- Construction activities adjacent to endangered plant areas will be supervised by a CMA resource specialist and will occur outside the growing season.
- A trail maintenance program will be developed for Ma-le'l North to ensure that routine vegetation clearing does not adversely affect local rare plants.
- If any cultural materials are discovered during construction-related activities, all work will stop until a qualified archaeologist, in consultation with designated representatives of



the Wiyot Tribal Governments, assesses the situation and decides that work may continue.

- A qualified archaeologist will be present during initial, native soil disturbance activities that occur at locations mutually agreed upon by the Wiyot Tribal Governments, USFWS, and BLM.
- Regulatory signs will be posted regarding the protection of historical and cultural resources.
- USFWS, BLM, and Wiyot Tribal Governments will prepare a baseline review of the cultural resources that the Tribe and agency staff mutually agree upon as the areas of greatest concern. Regular monitoring of these resource values will occur as agreed upon by USFWS, BLM, and Wiyot Tribal Governments.

This project is not expected to adversely impact elements of the human environment due to design features and operations criteria. This decision is consistent with BLM's *Samoa Peninsula Management Area Resource Management Plan Amendment* dated July 1995 and USFWS's *Humboldt Bay National Wildlife Refuge Complex Comprehensive Conservation Plan* dated September 2009 and other relevant laws, regulations, and policies guiding management of the project area.

## Administrative Remedies

Administrative remedies may be available to those who believe they will be adversely affected by this decision. Appeals may be made to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of Interior, Board of Land Appeals (Board) in strict compliance with the regulations in 43 CFR Part 4. Notices of appeal must be filed in this office within 30 days after publication of this decision. If a notice of appeal does not include a statement of reasons, such statement must be filed with this office and the Board within 30 days after the notice of appeal is filed. The notice of appeal and any statement of reasons, written arguments, or briefs must also be served upon the Regional Solicitor, Pacific Southwest Region, U.S. Department of Interior, 2800 Cottage Way, E-1712, Sacramento, CA 95825.

The effective date of this decision (and the date initiating the appeal period) will be the date this notice of decision is posted on both the BLM Arcata Field Office and Humboldt Bay National Wildlife Refuge internet websites.



Lynda Roush  
BLM Arcata Field Manager

10-18-10

Date



Eric T. Nelson  
Refuge Manager  
Humboldt Bay National Wildlife Refuge

10/21/10

Date